

## Burlington Conservation Board

149 Church Street  
Burlington, VT 05401  
<http://www.ci.burlington.vt.us/planning/>  
Telephone: (802) 865-7189  
(802) 865-7195 (FAX)

*Matt Moore, Chair  
Will Flender, Vice Chair  
Scott Mapes  
Don Meals  
Jeff Severson  
Miles Waite  
Damon Lane  
Douglas Morin*



## Conservation Board Meeting Minutes

Monday, July 30, 2012 – 5:30 pm  
Planning & Zoning Conference Room – City Hall Lower Level  
149 Church Street

### Attendance

- **Board Members:** Miles Waite (MW), Matt Moore (MM), Don Meals (DM), Scott Mapes (SM), Douglas Morin (DFM)
- **Absent:** Will Flender (WF), Damon Lane (DL), Jeff Severson (JS)
- **Public:** None
- **Staff:** Scott Gustin, Sandrine Thibault (Planning & Zoning), Nick Warner (CEDO)

MM, Chair, called the meeting to order at 5:30 p.m.

### Minutes

Minutes of June 4, 2012

A MOTION was made by MM and SECONDED by MW:

Accept the minutes of June 4, 2012 as written.

Vote: 2-0-3

### Board Comment

Board member introductions with new member Douglas Morin.

SG mentioned David White's suggestion to involve UVM Rubenstein seniors in a project to design a trail system, boardwalk, and interpretive information for the Barge Canal per the recommendations in the Plan BTV.

SM reiterated his email suggestions for Rubenstein seniors regarding CSO events at the Main Wastewater Treatment Plant and also dealing with old zoning permits a la Bianchi. The Bianchi analysis would involve research of all zoning permits 15 years back; categorize and classify; conduct survey to establish status of project completion, certificate of occupancy, and ownership status; and identify compliance issues. This would be a proactive effort to avoid last minute panic CO requests. MW, it would be nice to have an online system that is searchable for old zoning permits. MM, it's an interesting idea with a very big net. SM, this is not strictly a conservation board issue. It would have system-wide application for zoning permits and would start to gauge the extent of the problem. DM said that property owners' fear of enforcement action may preclude public participation in the survey work. MM agrees it's an issue of concern. SM pointed out the need to strengthen post-permit administration. What's the rate of compliance with permits? DM, the Barge Canal idea probably has more appeal.

The Conservation Board elected to pitch the Barge Canal and Bianchi Analysis ideas to the Rubenstein seniors.

### Public Comment

None.

The programs and services of the Dept. of Planning and Zoning are accessible to people with disabilities. For accessibility information call 865-7188 (865-7142 TTY).

### **Open Space Subcommittee**

MM stated that there was no meeting today. We have made progress with the Burlington College Property. He met onsite with city representatives and the new College president. They walked the trail down to the bike path and discussed its importance as a public resource. He noted the need to formalize and protect it. The importance of beach access and community gardens was also addressed. The Mayor is rethinking the Moran Plant and the North 40. There is opportunity for tie in here with the College property. The BCB should be engaged in the interim management and planning for the North 40.

MW, what's the new president's take on this item? MM, the college needs to undertake a master planning process to become accredited. The new president was interested but cautious about making any major decisions right away.

SG noted the status of the Open Space Protection Plan update. He stated that a request for proposals for consultant services was posted in June. Four proposals were received. The CLP reviewed them and selected the proposal by Amy Sheldon of Landslide Natural Resources Planning in large part due to her extensive experience with water quality. There is opportunity here to outline progressive policy goals for green infrastructure throughout the city – to make our green spaces functional. We are seeking approval to spend monies from the Conservation Legacy Fund for Amy's consultant services. As such, a joint recommendation from the Conservation Board and the Parks & Recreation Commission is needed prior to action by the Mayor and the City Council. We are seeking approval to spend up to \$20K from the fund for this effort.

A MOTION was made by DM and SECONDED by SM:

Approve use of Conservation Legacy Funds for consultant services for the Open Space Protection Plan update

Vote: 5-0-0

### **Project Review**

#### **1. 12-1281CA/CU: 81 Crescent Beach Dr (WRL, Ward 4) Evan Musman**

Review of proposed seawall

This item was recommended for Consent Approval.

Approve as proposed.

Vote: 5-0-0

### **Update & Discussion**

#### **1. Plan BTV Presentation**

Presentation and solicitation of Board comment on draft Plan

Sandrine Thibault appeared on behalf of this item.

Ms. Thibault presented the Board with a PowerPoint presentation of the discussion draft of the Plan BTV. She noted that comments on the draft are being taken through the end of September.

The draft plan touches on several main themes, including expanded economic growth and the creative economy, mixed use waterfront with expanded marine services, and more housing with greater diversity as to type and affordability. Transportation is addressed in the form of complete streets. Pedestrians are of primary importance downtown, followed by bicyclists. Transit ties the transportation network together. There is an existing oversupply of downtown parking; however, much of it is in private ownership. There needs to be an effort to open up these private spaces to the public after hours. The plan emphasizes connections: alley walks, downslope connections, waterfront vehicular connections, and expanded north/south bike connections. The "green machine" is contemplated in the plan as well and emphasizes

green streets, green plazas, rain gardens, bioswales, and a host of other green infrastructure ideas that may be implemented to make our green spaces functional as well as beautiful.

The Board will review the plan over the coming weeks and will formulate comments for consideration by the Planning Commission at its September meeting.

## **2. Urban Reserve Environmental Gap Analysis**

Presentation and solicitation of Board comment on environmental gap analysis

Nick Warner and Miles Waite appeared on behalf of this item.

Miles Waite started the discussion by stating that the city is using EPA environmental assessment funds to analyze conditions in the Urban Reserve. Analysis started in the mid 1980s and has progressed incrementally until the present day. Now, Stone Environmental has reviewed the studies done to date and has identified areas of known contamination. He noted the extent of fill material. The bedrock is some 40' to 50' deep. Shallow groundwater at 2' or 3' deep. Petroleum products, PAHs (some elevated hotspots), heavy metals, chlorinated VOCs, herbicides along the railroad and spurs, and PCBs are known to be present. All different locations are mapped on the handout. Data gaps include PAH, metals, PCBs, CVOCs, and imported fill materials. MW noted the possibility that the lakeshore retaining wall is keeping a reservoir of petroleum from migrating into the lake. Two areas are identified as locations for potential risk to recreational users (Flying-A site and the northwestern corner just south of the access way to the old oil bollards.

Nick Warner said that the study did a great job of indicating what's been missed in previous analyses.

MW, the ground water is not accessible to the public. DM pointed out that the contaminants could leach into the lake.

Mr. Warner stated that between \$17K and \$25K is left in the budget for additional work. Discussion of the effects of the conservation easement on the property ensued. Mr. Warner mentioned the need to repair the bike path that goes right through this site.

SM, with potential bike path improvements, is there a way to limit dust impacts along the bike path? Mr. Warner replied that he's been in touch with Local Motion to address bike path functionality during and after construction.

DM, is mitigation feasible (other than capping) on some of these sites? MW replied probably not beyond capping. Most of the contamination is residual, not heavily contaminated with petroleum.

Mr. Warner said there will be a full end report and two public meetings later this year.

MW, do we need to hunt for CVOCs? DM said nobody's drinking the water; it is probably not a necessary expense. SM, there are no drinking wells there, but there may be some migration into the lake.

MM suggested that the Board remain involved in this matter, particularly as planning for the Urban Reserve moves ahead.

## **Annual Organizational Meeting**

Nomination and election of Board Chair and Vice Chair

A MOTION was made by DM and SECONDED by SM:

Approve the existing slate.

Vote: 5-0-0

**Adjournment**

The meeting adjourned at 7:45 PM.